
IN THE UNITED STATES DISTRICT COURT
CENTRAL DIVISION, DISTRICT OF UTAH

LAURA CONROY,	:	
Plaintiff,	:	Civil No. 2:06-cv-867
vs.	:	ORDER
EDWARD SCHAFER, Secretary of Agriculture, United States, Department of Agriculture,	:	JUDGE CLARK WADDOUPS
Defendant.		MAGISTRATE JUDGE BROOKE C. WELLS

Per its request, on March 3, 2010,¹ this Court received plaintiff's pleading in compliance with the February 24, 2010, Order and Ruling² in which the Court requested a detailed affidavit of Ms. Dodd's time spent in preparation for her June 17, 2008, deposition. Upon review thereof, the Court finds Ms. Dodd's documentation of her preparation to be appropriate and accordingly awards her fees and expenses for the time of 19.30 hours.

As noted in the Court's prior Order, Ms. Dodd shall be entitled to an hourly rate

¹Document No. 137.

²Document No. 136.

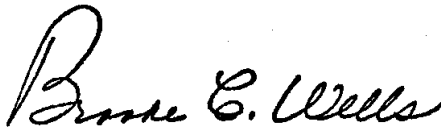
of \$200.00, consistent with the rate originally set forth in her expert report .³

Additionally, Ms. Dodd is not entitled to reimbursement for lunch and other breaks. As a result, if the 3.15 hours Ms. Dodd claims as actual deposition time includes any time spent for lunch or other breaks, it shall be adjusted accordingly.

Based upon this ruling, the parties shall calculate the amount of fees to be awarded.⁴ The amount shall be paid within thirty days after the date of this Order.

DATED this 8th day of March, 2010.

BY THE COURT:

A handwritten signature in black ink, reading "Brooke C. Wells", written over a horizontal line.

Brooke C. Wells
United States Magistrate Judge

³Fed. R. Civ. P. 26(a)(2)(B)(vi); Fiber Optics Designs, Inc. v. New Eng. Pottery, LLC, 2009 U.S. Dist. LEXIS 119669, at *3-5.

⁴The Court is unable to calculate an exact amount because it is uncertain whether the 3.15 hours Ms. Dodd claims for her time at the actual deposition includes time spent at lunch or on other breaks. Assuming the 3.15 hours does not include any time for lunch or other breaks, the amount awarded would be (19.30 x 200.00) \$3,860.00. If, however, the 3.15 hours claimed does in fact include time spent at lunch or during breaks, the time shall be re-calculated by the parties to exclude those periods of time and the amount awarded adjusted accordingly.

